IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

COMPANY PETITION NO.792 OF 1981

In the matter of the Ogale Glass Works Ltd.

M/s. Ramvijay Straw Works ..Petitioner.

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Mr. Avdhut Prabhu i/b Dhruva & Co. for the Petitioner.
None for the Respondent.

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CORAM: **DR. D.Y. CHANDRACHUD, J.**

28th March, 2007.

P.C. :

The claim in the Company Petition is in the amount of Rs.4,432/- on account of goods sold, supplied and delivered. The Petition is pending since 1981. The attention of the Court was drawn to the fact that the company was before the B. I. F. R. It would also appear that the company was declared as a relief undertaking. By an order dated 4th April, 1992 the Petition was adjourned sine die in view of the notification bearing No. BRU 1091/ 1481/ IND–10 dated 27th March, 1992. On 18th November, 1992, the Petition was adjourned till 31st March, 1993 since the notification was to remain in force till 20th March, 1993. On 10th June, 1992, the Petition was adjourned since a scheme was under

consideration for the B. I. F. R. Counsel appearing for the Petitioner is unable to state before the Court that whether the proceedings before the B. I. F. R are still pending. The Court has also been informed by the learned counsel that a letter was written to the Petitioner seeking instructions on whether the Petitioner is still interested in pursuing the proceedings but no instructions are forthcoming as of date. In these circumstances, the Petition is dismissed for want of prosecution. However, it is clarified that it would be open to the Petitioner to apply for revival of the Petition within a period of four weeks from today if the Petitioner is still interested in pursuing the proceedings. In the event that such an application is made, the Company Registrar shall place the Petition for further directions before the Court.